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SIPDIS

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SUBJECT: ECUADOR'S TIP CZAR GOES TO THE PRESS

REF: QUITO 2198

1. Summary. Ecuador's TIP Coordinator, the Minister of Government Baca, cooperated with the country's largest newspaper for a front-page article recognizing the TIP problem and laying out a plan to combat it, including penal code reforms. The reforms are a significant step forward and comply with US standards. Minister of Government Baca's pro-active actions and his commitments to the Ambassador reflect his leadership on the issue. He subsequently provided Post with significant documentation of the GOE's projects and plans to combat TIP. End Summary.

2. El Universo, Ecuador's largest newspaper, featured a front-page story on TIPs on August 12. Sources within the Ministry of Government told us the Ministry had initiated the article and worked with the local press to ensure it was published by the Post-requested deadline. The article focuses on Baca's leadership as TIP Coordinator, as well as GOE proposed legal reforms and penalties for commercial sexual exploitation of minors (CSEM) and TIP. The article summarizes the results of the International Labor Organization's study and mentions a police report on law enforcement activities in July and August 2004 aimed at combating CSEM.

4. The article's salient points are the following:

- The Ministry of Government will present a bill to Congress that reforms the penal code and attempts to punish and eliminate CSEM. The document makes significant reforms to the penal codes of children and adolescents, health, and the Tourism Law.

- The Ministry of Government has been working to combat CSEM for nine months, and the Ministry of Labor is actively involved in projects to eradicate child labor.

- All parties (including clients) involved in sexual tourism with minors will be held legally responsible. Tourism providers, hotels, airlines, and land and sea transport providers that are aware their services are used for sexual tourism will be subject to criminal penalties if they do not notify police.

- The reforms change the definition of a minor to include persons from 14 to 18 years old.

- Minors who are victims of sexual exploitation can criminally charge their pimps for 10 years after the victim has turned 18. Victims determine when they are psychologically ready to testify.

- Establishments where minors are engaged in sexual exploitation will be closed permanently and fined. Current legislation does not allow prostitution houses to be closed and by default allows establishments to employ minors if their papers are in order.

5. Ambassador Kenney spoke with Baca on August 11 and was very encouraged after the conversation. Baca stressed his long-time commitment to working against TIP and said the presidential decree would be issued during the week of August

16. As Baca promised in the call, Post received additional TIP documentation on August 12. The contents illustrate the GOE's commitment to combating TIP and the particular concern for minors who are victims. A letter from Baca to the Ambassador states the Ministry of Government has been coordinating an interagency process to develop a plan to combat TIPs since January. In particular, the group has worked on a bill reforming the penal code to present to Congress.

6. Comment. In our view, the El Universo article confirms the GOE's public commitment to combating TIP and Baca's pro-active role as the GOE TIP Coordinator. The article and documents constitute the substance of what will become the GOE's National Plan to combat TIP. We continue to work closely with Minister Baca and other GOE officials to encourage their efforts and suggest additional actions. Both the de facto press release and naming of a TIP Coordinator are critical steps completed on the 60-day action plan. End Comment.

KENNEY